

The Governor in Council may place the militia, or any part thereof, on active service anywhere in Canada, and also beyond Canada, for the defence thereof.

If the minister objects to the other words, I have an amendment which I purpose offering to the Bill. It is as follows :

The Governor in Council shall, subject to the conditions of the imperial service, accept the services of Canadian militiamen who volunteer to serve the empire on active service, in any part of the world, and shall have authority to equip and place them at the disposal of the imperial authorities, whether parliament be called, or in session or not, and shall incur the necessary expenses towards that end.

In regard to the service of the militia in the old country, I might just read from the Army Act, section 51 :

In 1859 a power was given to the sovereign to accept voluntary offers by the militia to serve in the Channel Islands and the Isle of Man ; this was extended by the Act of 1875 to serve in Malta and Gibraltar ; and as so extended was re-enacted in 1882.

I do not want any grins contradicting my statement.

Mr. FIELDING. There is nothing in the Act to prevent grins.

Mr. SAM. HUGHES (reading) :

A further extension to any part of the world was made in 1898. At the same time the Crown was authorized to employ militiamen volunteering to serve, whether an order embodying the militia was in force at the time or not.

So that we find that the services of a militia corps in the United Kingdom may be utilized in any part of the world under the English law, that is, if they volunteer. And we find that certain individual militiamen, under the law, may be taken to any part of the British empire.

Sir FREDERICK BORDEN. Under the British law the militia of the United Kingdom cannot be ordered for foreign service.

Mr. SAM. HUGHES. I have said that also. I have said that volunteer offers may be taken.

Mr. GOURLEY. Does the minister say here that if a militia regiment of Canada volunteers to go abroad, he could, under this law, provide the money and send them to the front?

Mr. FIELDING. No, nor could he under the English law either.

Mr. SAM. HUGHES. That is the point I want to make clear. Of course no power in Canada can prevent Canadian boys from enlisting in the imperial service. We owe allegiance to the imperial rather than to the Canadian service. If it should ever come to the test whether the people of Canada are

to obey the mandate of the Governor in Council on the one hand or His Majesty in Council on the other, there would be no doubt or mistake as to which order will prevail. It will be the imperial order which the people of Canada will obey. We are Britons first, so far as the defence of the empire is concerned. That must be clearly understood, and if the Canadian government should undertake to issue a mandate preventing any volunteer in Canada from serving the British empire, the rebel would be the one standing by the Canadian government and not the one standing by the empire. So we find the English Act permitting the use of the militia of that country in any part of the British empire where they may choose to serve. We want the same thing in the Dominion. We want it provided that when a militiaman in the Dominion volunteers to serve the empire in time of war, it shall be the duty of the Canadian government to accept that service and to see that he is fitted out and sent on to take part in the imperial war. We do not want any hesitation such as was shown when the South African war broke out. We want no quibbling as to whether parliament or the Governor in Council has the right to order out the troops. We want it clearly understood that when Canadian boys volunteer their service to the empire for the defence of the empire in any part of the world, it shall not only be the right, but the duty of the Canadian government to take these men, fit them out and send them wherever Britain may require their services.

Mr. FITZPATRICK. Permit me to draw the attention of the House to the fact that it is rather to be regretted that the hon. member for Kings, N.B., (Mr. Fowler) is not here at present, as I think he would benefit very largely by the lecture on loyalty to which we have just been treated. When this discussion was up, the hon. member for King's said (see page 6374 of 'Hansard') :

Mr. FOWLER. I do not quite understand the effect of the word 'emergency' here. In view of the powers given the government under section 77 ; powers by the way which I very strongly object to.

Sir WILFRID LAURIER. What do you object to ?

Mr. FOWLER. I object to the word 'emergency' here because of the wide powers given the government in section 77 where the Governor in Council has power to send the militia out of Canada.

Mr. GOURLEY. He contradicted that afterwards.

Mr. FITZPATRICK. Pardon me, my hon. friend's memory is not accurate. Then the discussion went on :

Sir FREDERICK BORDEN. But only for the defence of Canada.

Mr. FOWLER. You can call almost anything the defence of Canada—you could call sending